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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

BENHAM HALALI,)	No. 09-4900 RS
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE CASE
v.)	MANAGEMENT CONFERENCE AND
)	MEDIATION DEADLINE
UNITED STATES OF AMERICA ET AL.,)	
)	
Defendants.)	
)	

IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval of the Court, that the date for completing Court appointed mediation in this case (currently set for September 10, 2010) be continued to December 31, 2010 and that the telephonic Case Management Conference (currently scheduled for October 7, 2010) be continued to January 13,

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE CMC AND MEDIATION DEADLINE
 C09-4900 RS

2011 or a later date selected by the Court. This stipulation was agreed to by the parties (and is acceptable to the Court appointed mediator in the case) because the parties held an initial mediation session on September 2, 2010 and were not able to settle the case but did agree to agree on a plan for some focused discovery followed by another mediation session. The parties held a telephone conference with the mediator on September 8, 2010 and subsequently agreed to hold a second mediation session on December 14, 2010.

As the Court may recall, this case arises from an automobile accident that took place on December 19, 2007 between Plaintiff Benham Halali and an FBI Victim Specialist named Christina Bouls. The discovery that the parties intend to take prior to the next mediation includes the following: (1) Plaintiff will execute authorizations for the release of medical records and Defendant will subpoena Plaintiff's medical records, (2) Defendant has requested photographs from the CHP that the parties believe were taken after the accident and will provide copies to Plaintiff, (3) the parties will conduct depositions of Plaintiff, Ms. Bouls, the CHP officer who investigated the accident, and possibly one or two other parties (i.e. one of Plaintiff's medical providers), (4) Plaintiff will assist in obtaining further documentation from Plaintiff's employer regarding Plaintiff's claim for lost income, and (5) the parties will work in good faith to cooperatively address any other focused discovery that either party believes in good faith to be necessary to evaluate the case for settlement purposes. The parties believe that this discovery plan is one that can be achieved prior to the next mediation and that it is in the best interest of the parties to see if the case can be resolved after the parties have taken the discovery and exchanged the information set forth in their plan. The parties thus seek the Court's approval of a schedule that would allow this plan to go forward.

The mediator has already confirmed the mediation for December 14, 2010. The request to have the mediation deadline continued until December 31, 2010 is to permit the mediator to remain involved should the parties need some further assistance in the days following the December 14, 2010 mediation. The parties do not believe that any other dates set by the Court would need to be continued as a result of this stipulation.

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1 Dated: September 10, 2010

2 Respectfully submitted,

3 MELINDA HAAG
4 United States Attorney

5 By: /s/
6 MICHAEL T. PYLE
7 Assistant United States Attorney
8 Attorney for Defendant

9 Respectfully submitted,

10 LAW OFFICE OF MICHAEL L. ORAN

11 By: /s/
12 MICHAEL L. ORAN
13 Attorneys for Plaintiff

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

15 The deadline for the parties to complete Court appointed mediation is continued from
16 September 10, 2010 to December 31, 2010. The Court will hold a telephonic Case Management
17 Conference on January 13, 2011. The parties shall file a Case Management Conference
18 Statement at least ten days in advance of the Conference.

19 DATED: 9/10/10

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21 HON. RICHARD SEEBORG
22 United States District Chief Judge
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